CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM
Council Bill 2020-173 – approving an Occupancy License Agreement with Missouri & Northern Arkansas Railroad Company, Inc and the City of Joplin.

MEETING DATE
November 16, 2020

ORIGINATING DEPARTMENT
Public Works - Engineering

ATTACHMENTS
Location Map, Agreement, CB2020-173

REVIEWED BY
Director of Public Works: David Hertzberg; Director of Finance: Leslie Haase; City Attorney: Peter Edwards; City Manager: Nicholas Edwards.

SUMMARY
This Council Bill approves the execution of an occupancy license agreement between Missouri & Northern Arkansas Railroad Company, Inc (MNA) and the City of Joplin as it pertains to construction of an underground storm sewer pipeline parallelism related to the 10th and Main Stormwater project (TS0601) across railroad right-of-way; establishing certain obligations for the continuation of the occupancy.

BACKGROUND
A 100-foot run of 5' X 6.5' Reinforced Concrete Box (RCB) runs along the west side of Main street and south of 10th street. This section of the storm sewer dates back to the 1930s and serves a dual purpose in acting as a section of sidewalk on the west side of Main street for pedestrians. Heavy rains experienced during the course of its lifetime, coupled with the natural process of deterioration of the box due to its age, has contributed to the failure of this section of the storm sewer system. Currently, the top of the box has collapsed at various points, necessitating the installation of steel plates as a temporary stop gap measure until the box itself can be replaced in its entirety. Identifying the public safety risk posed by the deteriorated condition of the box (including the sidewalk) City staff developed design plans in-house for the replacement of the box culvert. During the design phase, staff explored the opportunity to improve the hydraulics of the storm sewer conveyance system and improve its capacity and efficiency. In order to achieve this, City staff worked with MNA railroad and successfully reached an agreement which would allow for the extension of an existing 72" RCP storm sewer system and the re-alignment and enclosure of the storm channel in railroad right-of-way. This agreement allows for the installation of the improvements as well as the continued occupancy by the City with these improvements within railroad right-of-way. As part of this agreement City staff were able to successfully negotiate with MNA the waiving of the annual fee, agreement processing fee, engineering review fee and contractor right of entry fee normally associated with the Occupancy agreement application.

RECOMMENDATION
Staff recommends adoption of this Council Bill on First reading and moving it to Second and Third reading.